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### **REMARKS**

The application has been reviewed in light of the final Office Action dated February 13, 2009. Claims 22-41 are pending, with claims 1-21 having previously been canceled, without prejudice or disclaimer. By the present Amendment, claims and claims 22, 31, 39 and 40 have been amended to clarify the claimed subject matter. Claims 22-41 would remain pending upon entry of this amendment, with claims 22 and 31 being in independent form.

Claims 39 and 40 were rejected under 35 U.S.C. §112, second paragraph, as allegedly indefinite.

By the present Amendment, claims and claims 39 and 40 have been amended to correct the informalities therein.

Withdrawal of the rejection under 35 U.S.C. §112, second paragraph, is respectfully requested.

Claims 22, 31 and 41 were rejected under 35 U.S.C. § 102(b) as purportedly anticipated by U.S. Patent No. 5,732,050 to Horie. Claims 23, 24, 30, 32 and 33 were rejected under 35 U.S.C. § 103(a) as purportedly unpatentable over Horie in view of Chu et al. (US 2004/0015731 A1). Claims 25, 26, 29 and 34-36 were rejected under 35 U.S.C. § 103(a) as purportedly unpatentable over Horie in view of Chu and further in view of U.S. Patent No. 6,470,439 to Yamada et al. Claims 27, 28, 37 and 38 were rejected under 35 U.S.C. § 103(a) as purportedly unpatentable over Horie in view of Chu and Yamada and further in view of U.S. Patent No. 6,502,159 to Chuang et al. Claims 39 and 40 were rejected under 35 U.S.C. § 103(a) as purportedly unpatentable over Horie in view of U.S. Patent No. 6,528,974. Mirov et al.

Applicant respectfully submits that the present application is allowable over the cited art, for at least the reason that the cited art does not disclose or suggest the aspect of the present

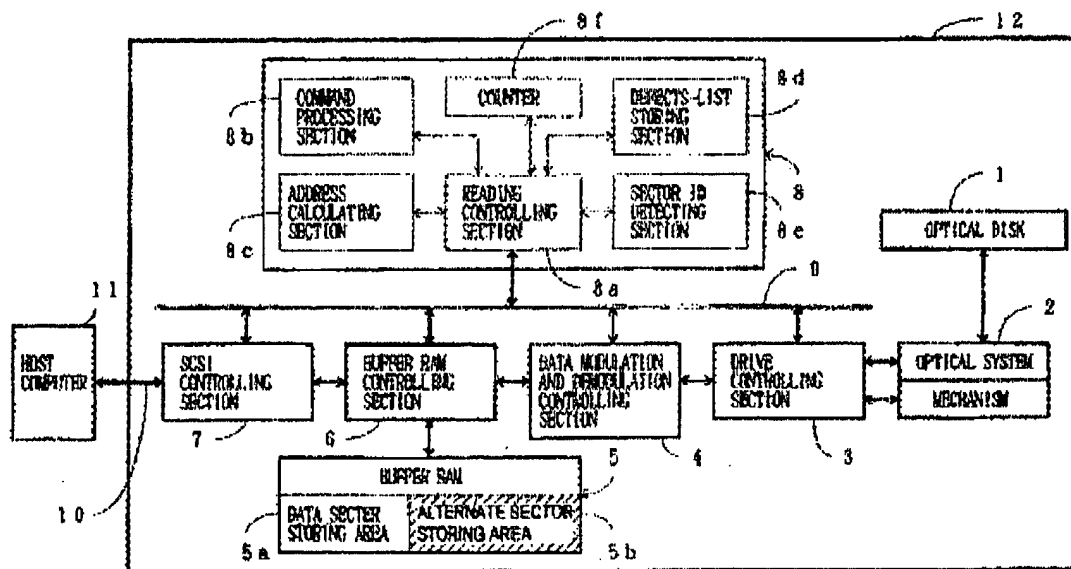
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application of *a control circuit further comprising a decoder, wherein the decoder decodes the first information sent via the first memory and outputs an address data signal, corresponding to a specific register within the plurality of registers, to the register circuit.*

Horie, as understood by applicant, proposes an apparatus, as shown in Fig. 1 (reproduced below) of Horie, for recording and reproducing data on a recording medium, even when sectors on the recording medium are defective.

FIG. 1



The buffer ram 5, the defects-list storing section 8d, the data modulation and demodulation controlling section 4 and the drive controlling section 3 of Horie are equated in the Office Action with the register circuit, the first memory, the second memory and the control circuit, respectively, of the present application.

However, the drive controlling section 3 (equated in the Office Action with the control circuit of the present application) of Horie does not include a decoder nor does it output an address data signal.

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The drive controlling section 3 is proposed in Horie (column 7, lines 31-39, reproduced below) to servo and mechanism control of the optical drive system. The drive controlling section 3 does not reference nor detect an address within the buffer ram 5 (equated in the Office Action with the register circuit of the present application), and does not perform a writing operation to write the first and second information into the defects-list storing section 8d and the data modulation and demodulation controlling section 4 (equated in the Office Action to the first and second memories).

The *data signals* reproduced sector by sector *from the optical disk 1* by the optical system and mechanism 2 *are input to the drive controlling section 3 and used for the servo control and the mechanism control*. The data signals are *also* input to the data modulation and demodulation controlling section 4, and demodulated into data. The data and the sector number thereof are temporarily *written* in the data sector storing area 5a of the buffer RAM 5 *by the controlling section 8 and the buffer RAM controlling section 6*.

Further, the drive control section 3 does not take as its input contents of the defects-list storing section 8d, to generate an address data signal. The defects-list storing section 8d directs its output to the reading controlling section 8a, and not to the drive controlling section 3, as pointed out in Horie, column 6, line 63 to column 7, line 2 (reproduced below):

The *defects-list storing section 8d* is a cache memory which stores the defects-list read from the list area 1c of the optical disk 1 by the reading controlling section 8a when the optical disk is loaded in the main body 12, and *outputs necessary information on the defects-list to the reading controlling section 8a* according to a signal from the reading controlling section 8a.

Applicant respectfully submits that Horie simply does not disclose or suggest the aspect of the present application of *a control circuit further comprising a decoder, wherein the decoder decodes the first information sent via the first memory and outputs an address data signal, corresponding to a specific register within the plurality of registers, to the register*

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*circuit.*

Likewise, the other cited references do not disclose or suggest such aspect of the present application.

Applicant submits that the cited art, even when considered along with common sense and common knowledge to one skilled in the art, does **NOT** render unpatentable the above-mentioned aspect of the present application.

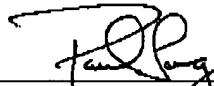
Accordingly, applicant respectfully submits that independent claims 22 and 31, and the claims depending therefrom, are patentable over the cited art.

In view of the remarks hereinabove, applicant submits that the application is now in condition for allowance. Accordingly, applicant earnestly solicits the allowance of the application.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such petition. The Patent Office is hereby authorized to charge any fees that are required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,

  
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